

MINUTES
NATURAL RESOURCES COMMISSION

June 3-4, 2004

Lansing Center
333 E. Michigan
Lansing
-and-
Stevens T. Mason Building
530 W. Allegan
Lansing

PRESENT FOR THE COMMISSION

Mary Brown
Keith Charters, Chairman
Bob Garner
Jerry Hall
John Madigan
Bill Parfet (Thursday only)
Frank Wheatlake

PRESENT FOR STAFF

Rebecca Humphries, Director
Dennis Fox, Chief of Staff
George Burgoyne, Resource Management Deputy
Jim Ekdahl, Upper Peninsula Field Deputy
Department Staff

COMMITTEE OF THE WHOLE

Chairman Charters called the Committee of the Whole meeting of the Natural Resources Commission (NRC) to order at 3:05 p.m. on Thursday, June 3, 2004. The Committee of the Whole is a working session of the NRC.

PRESENTATION TO DR. JOAN ARNOLDI, STATE VETERINARIAN

Chairman Charters acknowledged **Dr. Joan Arnoldi, State Veterinarian since 1994**, who is retiring. Since 1994, **Chairman Charters** noted that Dr. Arnoldi has made many tough decisions relative to addressing the bovine tuberculosis problem. As a result, data shows that progress is being made in the fight to eradicate the disease. He said that we owe her a great debt for her knowledge, calming effect, tenacity, and energy to work toward a common goal of eradication. **Dr. Arnoldi** was presented with a plaque on behalf of the NRC and DNR recognizing her accomplishments. **Dr. Steve Schmitt, DNR Veterinarian**, thanked Dr. Arnoldi for her efforts and involvement and wished her well in her retirement.

ISLAND LAKE SHOOTING RANGE UPDATE

Dennis Knapp, Legislative Liaison, reported that shooting sheds, similar to those displayed at the April 2004 NRC meeting, were built on site at the Island Lake Shooting Range. A majority of the sheds in were in place by Memorial Day Weekend but were not yet functional without the acoustical liner material. Acoustical liner materials have been ordered and will be delivered to the

Range to be installed in the sheds for further sound reduction. The expectation is to have 15 completed by mid-June. **Mr. Knapp** credited staff from the Office of Land and Facilities for developing the prototype and thanked staff from program divisions within the DNR for their construction assistance. Commissioner Hall was also on site and was extensively involved in the shed building process. **Commissioner Hall** noted that a great deal of credit went to Director Humphries for prioritizing the shed building process. **Mr. Knapp** also noted that the Townships have been notified of the status of the project, and that sound testing will be scheduled after the acoustical liners are installed to measure the benefit of the sheds.

NATIONAL ARCHERY IN THE SCHOOLS PROGRAM

Kelly Siciliano-Carter, Wildlife Division, reported that May 25-27 was the kickoff for the National Archery in the Schools Program in Michigan. The May 25-26 dates were designated to training the trainers. On May 27, teachers from 12 schools were trained to carry on the process. This Program was founded in Kentucky by its Departments of Education and Fish and Wildlife in 2002. In that State, over 240 schools participate in this training process and many have created "after-school" programs that include competition. Michigan is the 11th state to start-up the program. Sponsor support has been received from several areas, such as National Alliance for the Development of Archery, Kentucky Department of Fish and Wildlife Resources, Mathews Bows, National Wild Turkey Federation and Safari Club International. Additional sponsors are welcome. Pilot schools will receive equipment by next year and more schools will be recruited to include this program. Any schools interested in National Archery in the Schools Program can contact Ms. Carter at 517-373-1263.

New Biologist Introductions

Bill Moritz, Acting Chief, Wildlife Division, introduced five new biologists recently hired to work in the Landowner Incentive Program (LIP). They are: Sue Tangora, Terry McFadden, Chris Hoving, Dan Kennedy and Brian Piccolo. The LIP is funded with a federal match from the U.S. Department of Agriculture. **Commissioner Madigan** noted that Terry McFadden attended the UP Habitat Work Group meeting on May 8 and thanked him for his attendance.

APPOINTMENTS TO DNR EXECUTIVE OFFICE

Director Humphries introduced **Dennis Fox, the newly appointed Chief of Staff for the DNR**. Mr. Fox most recently worked in the Lieutenant Governor's Office and with Michigan United Conservation Clubs (MUCC) prior to that.

RESIGNATION OF COMMISSIONER WILLIAM PARFET

Commissioner Parfet announced his resignation as Commissioner effective June 5, 2004. He said he has appreciated the experience of being a Commissioner for the past nearly eight years; stated that the DNR is in good hands with Director Humphries; and expressed his wishes that the NRC and DNR staff continue to do good work to protect the natural resources of our great State.

Chairman Charters stated that Mr. Parfet served on the Michigan Natural Resources Trust Fund Board prior to becoming a Commissioner. He said his greatest legacy on the NRC was his ability to look into the future; and setting goals and meeting those goals to benefit the future of the DNR. Mr. Parfet became an authority on the Budget process and lead the DNR through changing the way the budget was handled. **Chairman Charters** said that the natural resources of the State are far better off because of Commissioner Parfet's contributions. **Commissioner Garner** stated that the natural resources of Michigan greatly benefited from Commissioner Parfet's service.

The Committee of the Whole meeting adjourned at 3:45 p.m.

Commissioner Parfet left the meeting.

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REGULAR MEETING OF THE NATURAL RESOURCES COMMISSION

Chairman Charters called the regular meeting of the Natural Resources Commission (NRC) to order at 4:30 p.m.

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PUBLIC APPEARANCES

Kevin Baker, Wildlife Control Operator
Jim Campbell, Michigan Trappers Association
Guy Dobies, Brighton
Steve Fielder, Professional Kennel Club
Richard Granse, Friends of the White Pine Trail
Lillian Hopkins, Brighton
Mark Melchoir, Nuisance No More Wild Animal Control
Ellen Nitz
Gregg Schumaker, Michigan Animal Damage Control Association
Mike Seelman, Michigan Trappers Association
Allen Seitz, Milford
Ed Spinazzola, Quality Deer Management Association (QDMA)
Mike Thorman, Michigan Hunting Dog Federation
Jenness Weigand, Brighton

Mike Thorman, Michigan Hunting Dog Federation, congratulated the DNR for initiating the Archery in the Schools Program. Mr. Thorman represented Michigan bear hunters, Michigan fox hunters, and Michigan coon hunters. He stated that the Hunting Dog Federation and the hunting dog owners believe that snares kill dogs. He opposes any device being placed in the woods that will kill a hunting dog. He recommended using leg-hold traps rather than snares.

Jim Campbell, Michigan Trappers Association, supports Option 2 of the proposed Trapping Regulations which would allow bobcat trapping from December 10-December 20 in bobcat management units C and D. Regarding snaring, the "deer stop" on an animal snare does not really prevent damage to an animal. On the contrary, the "deer stop" can cause abrasion to the skin and flesh of the animal when the snare is used as a non-lethal device. The only time a "deer stop" is effective is when a deer is caught by the leg/foot. It would be more sensible to use only a "break away" lock which will break away or disconnect at a pull strength of 350 pounds or less.

Mike Seelman, Michigan Trappers Association, supports the establishment of a bobcat trapping season in the northern-Lower Peninsula. He believes the bobcat population can withstand a trapping season without decimating the population.

Guy Dobies, Brighton, believes that the shooting sheds being built at the Island Lake Shooting Range are not reducing the sound levels, and the sound levels have not been reduced to 65 decibels at the perimeter.

Allen Seitz, Milford, resides 1.6 miles north of Island Lake Shooting Range. He stated that sound levels have not been reduced. He believes that the skeet and trap and sporting clays need to be eliminated from the range.

Lillian Hopkins, Brighton, congratulated Director Humphries on becoming DNR Director. Ms. Hopkins reiterated comments that the noise levels from the Island Lake Shooting Range are too loud and cause disruptions at her home.

Ellen Nitz noted that, because of noise levels from the Island Lake Shooting Range, the quality of life for residents and park visitors have been damaged. She noted that there are several locations in southeast Michigan to practice shooting.

Jenness Weigand, Brighton, stated that residents have not experienced any relief from noise from the Island Lake Shooting Range. She requested that the trap and skeet and sporting clays be eliminated from the range.

Mark Melchoir, Nuisance No More Wild Animal Control, noted that the ability to utilize snares is necessary in the animal control business. Trapping of bobcats in the upper Lower Peninsula is good for the State and for trappers. He said that leg-hold traps can damage animals as can snares.

Steve Fielder, Professional Kennel Club, is concerned with the safety of using snares. He said that out-of-state judges and guides need to be assured that their dogs are safe during field trials in Michigan. He believes it would be very easy to decimate the bobcat population with leg-hold traps.

Commissioner Garner asked if Mr. Fielder would be willing to get involved in the Furbearers Work Group. Mr. Fielder responded that he will do what he has to do in order to get some results on their request. He is not opposed to trapping altogether.

Commissioner Hall questioned how do we stop illegal trappers? **Mr. Fielder** responded that just having snares legal are a problem. **Commissioner Hall** said that illegal traps need to be reported to Law Enforcement and the Furbearer Work Group.

Chairman Charters noted that Mr. Fielder was touting field trials in Michigan, why? **Mr. Fielder** said that national competitions are brought into Michigan because of the raccoons and club networks. **Mr. Fielder** said that the groups are very passionate about bobcats and that 33 percent of the bobcats are trapped in the early trapping season. **Chairman Charters** questioned whether Mr. Fielder believes the bobcat resource would be damaged if trapping was allowed. **Mr. Fielder** responded that was a determination to be made by the biologists, but recommended that the trapping season be later in the bobcat season.

Gregg Schumaker, Michigan Animal Damage Control Association, proposed additional wording to the proposed trapping regulations to include the use of "colony traps." He also requested addition of wording that allows the use of snares if one or more of the following are met: 1) year around within the curtilage of the complainant; 2) year around upon the premises of the complainant; and/or 3) year around outside the curtilage upon the premises of the complainant in the Lower Peninsula for the control of fox, coyote, woodchucks and raccoons.

Kevin Baker, Wildlife Control Operator, believes that animal controllers should be able to utilize any methods to resolve conflicts between animals and humans.

Richard Granse, Friends of the White Pine Trail, welcomed Director Humphries. He reported that the Friends group adopted the entire Trail in February 2004, excluding certain municipalities. Mr. Granse reviewed plans and accomplishments along the trail.

Ed Spinazzola, Quality Deer Management Association (QDMA), stated that the five-year quality deer management demonstration in Deer Management Unit (DMU) 118 indicates a significant improvement in all major areas. He requested that a simple majority on quality deer management surveys be sufficient for approval. **Mr. Spinazzola** said that QDMA will present an infrared detector to the DNR on Friday, June 11.

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The meeting adjourned at 5:45 p.m. on Thursday, June 3, 2004 and reconvened at 8:30 a.m. on Friday, June 4, 2004.

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STAFF REPORTS

Captive Cervid Audit Update

Bill Moritz reported that staff will begin training to conduct audits on captive deer and elk facilities. These audits will consist of review of on-site records, an interview with the facility owner/representative, and perimeter fence inspection with the goal of determining the state's risk for exposure to chronic wasting disease (CWD). **Dennis Knapp, DNR Legislative Liaison**, reported that HCR 51 was introduced seeking to overturn the Governor's Executive Order that would transfer authority from the Department of Agriculture to the DNR for managing the captive cervid industry. The Governor's Executive Order will take effect on June 15, if the Legislature does not act to overturn it. Audits will take place between June 15 and October 1, and Governor Granholm has sent a letter to House Speaker Johnson, that, if no CWD is found during the audit period, it is her intention to return the program to the Department of Agriculture. Discussion ensued. **Director Humphries** noted that the audits are non-punitive, and staff will do their best to be sensitive to issues dealing with facility owners. She also noted that it is the responsibility of the facility owners to report any animals that may have left the facility.

LEGISLATIVE UPDATE

Dennis Knapp reported:

- House Bill 4870 and HJR Z, introduced by Senator Richardville, relative to the Constitutional Protection of DNR Restrictive Funds from being used for purposes aside from their current statutory purpose, will not have enough time in this legislative session to be eligible for voter approval in 2004 elections. Analyses are underway.
- House Bill 5313, mandating the DNR to rescind reverter clauses on school and municipal forest conveyances within three years, was passed by the House on May 4 and has been referred to the Senate Appropriations Committee for consideration. The House substitute exempts lands under this act that are located within a DNR project boundary or that provide access to water.
- House Bill 5918 has been introduced to require the DNR to grant easements under established conditions, or justify, in writing, reasons for denial.
- Senate Bills 1279-81 have been introduced for State Parks to create an Income Tax check-off, a parks advisory committee, and annual recognition awards for parks, volunteers and staff.

Tax Reversion Staff Transfers to Department of Treasury

David Freed, Chief, Office of Land and Facilities, recognized staff from the Tax Reversion and Land Records Section staff who will be transferring to the Department of Treasury, effective Monday, June 7. He said they are all very diligent workers who received many calls each day dealing with very intricate land questions and issues. They do an excellent job. Those present that will transfer are: Patricia Simon, Eugene Bozzo, Agnes Aldrich, Brent Pennala, Kim Kolich-Venne, Roxanne Harris, Sharon Edington, and David Buick. **Chairman Charters** thanked them for their hard work while in the DNR. **Director Humphries** also expressed her appreciation for all the work they have done.

CLOSED SESSION

Commissioner Garner made a motion, supported by Commissioner Madigan, to go into Executive Session from 9:10 a.m. to 9:22 a.m. to discuss personnel matters. Motion unanimously carried.

The NRC returned to the Open Meeting at 9:23 a.m.

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APPROVAL OF MINUTES – MAY 6-7, 2004 NATURAL RESOURCES COMMISSION MEETING

Commissioner Hall made a motion, supported by Commissioner Hall, for approval. Motion carried 5-0 with Commissioner Wheatlake abstaining because he was not in attendance at the May meeting. Motion unanimously carried.

DEER HUNTING REGULATIONS – WILDLIFE CONSERVATION ORDER, AMENDMENT NO. 7

Commissioner Hall made a motion, supported by Commissioner Garner, for approval.

Commissioner Hall made a motion, supported by Commissioner Garner, to amend Amendment No. 7 as follows: Open the late antlerless firearm season in the same counties as were open to the late antlerless firearm season in 2003. Also, move the early antlerless firearm season in DMU 055 to start on the third Thursday of September and be open for seven (7) days. Motion unanimously carried.

The Motion unanimously carried to adopt Amendment No. 7 as amended.

TRAPPING REGULATIONS – WILDLIFE CONSERVATION ORDER, AMENDMENT NO. 11

Commissioner Hall made a motion, supported by Commissioner Garner, to Wildlife Conservation Order, Amendment No. 11, Option 2.

Commissioner Hall made a motion, supported by Commissioner Garner, to amend Amendment No. 11 as follows:

1. **Bobcat trapping units C and D will be restricted to private land;**
2. **The bag limit in bobcat management Unit A will be two bobcats;**
3. **The overall statewide bag limit per person will be two bobcats.**

Motion unanimously carried.

Commissioner Garner noted that there is some concern over the bobcat populations. He believes this order elevates the bobcat to a trophy animal and sets conservation history. **Commissioner Hall** stated that he would hope to issue bobcat kill tags at the time of license issuance.

The Motion to approve as amended was passed unanimously.

ANTLERLESS DEER REGULATIONS – WILDLIFE CONSERVATION ORDER, AMENDMENT NO. 12

Commissioner Garner made a motion, supported by Commissioner Hall, for approval. **Commissioner Brown** stated that she would support this Amendment, but requested that the DNR notify private land purchasers to be aware of the restrictions. **Commissioner Garner** requested review of the areas that have approved supplemental feeding but no antlerless permits. **Commissioner Madigan** hopes this Amendment does not create an overabundance of deer in certain areas creating forest property damage, and he requested that this issue be reevaluated in 2005. **Motion unanimously carried.**

DIRECTOR'S ACTION ITEMS

Director Humphries intends to sign all Director's Action items on the agenda. **Chairman Charters** applauded DNR staff for the Land Transactions and said they are great purchases and are in line with the land management process.

NRC Policy Committee on Land Management – Meeting Report

The NRC Policy Committee on Land Management met on June 3, 2004 at 11:30 a.m. in Lansing. Commissioners Charters and Brown were present for the Committee. Commissioners Hall, Madigan and Wheatlake were also present. **Chairman Charters** reported that the DNR's land review plan was presented to the Legislative Sportsman's Caucus earlier that day. It had also been previously presented to the House Conservation and Outdoor Recreation Committee and was well received in both arenas. Phase 2 of the lands review process involves taking 10 selected counties, micro-review, define surplus lands, and get the public involved in determining what is surplus. Phase 2 will be completed in approximately four months.

NRC Policy Committee on Wildlife Issues – Meeting Report

The NRC Policy Committee on Wildlife Issues met on June 3, 2004, at 1:15 p.m. in Lansing. Commissioners Garner and Hall were present for the Committee. Chairman Charters and Commissioners Brown, Madigan and Wheatlake were also present. Items of discussion included: Proposed Wildlife Regulations; Habitat Initiatives Update, and Deer Quotas. Proposed wildlife regulations discussions were reflected in the action earlier on these regulations.

COMMISSIONER REPORTS

Commissioner Madigan received correspondence and phone calls relative to DNR issues; met with Deputy Jim Ekdahl and Fisheries Division Chief Kelley Smith in Munising regarding fishing regulations; participated in a fishing tournament in Munising where participants were having success catching fish; held a U.P. Habitat Work Group meeting and a DNR Listening Session on May 8 in Marquette where topics included: DNR land conservancy; LIP Program; report on the relationship with the U.S. Forest Service; and a report on compartment reviews.

Commissioner Wheatlake received correspondence and several phone calls relative to DNR issues.

Commissioner Hall received correspondence and phone calls relative to DNR issues; and spent a great deal of time at the Island Lake Shooting Range where he assisted in building sheds, etc. He urged staff to continue to work toward reducing noise levels from the range. He represented the NRC at the dedication of the Tri-centennial State Park and Harbor on May 20 and stated that former Director K. L. Cool did an excellent job in developing a fabulous facility. Detroit residents are now able to fish at a State Park in metropolitan Detroit.

Commissioner Garner received correspondence and phone calls relative to DNR issues; and made a presentation at the Wetlands Conference in Traverse City, as he was involved in the development of wetlands legislation 25 years ago.

Commissioner Brown received correspondence and phone calls relative to DNR issues; and stopped at Interstate Lake off I-69 and noted it is well used.

Chairman Charters correspondence and phone calls relative to DNR issues; and delivered a speech at the Wetland Conference in Traverse City. He acknowledged the efforts of Sharon Hanshue, Fisheries Division, for her role in the planning process.

Chairman Charters also offered condolences to Commissioner Garner, whose Stepfather passed away recently.

Chairman Charters stated that the NRC will miss Commissioner Parfet and that he has contributed a great deal toward natural resources conservation.

Chairman Charters expressed appreciation for the extensive time that Commissioner Madigan has dedicated to natural resources issues in the UP.

NRC POLICY COMMITTEE ON FINANCE AND ADMINISTRATION - APPOINTMENT

Chairman Charters appointed **Commissioner Wheatlake** to chair the NRC Policy Committee on Finance and Administration. **Commissioner Hall** will move from alternate to Committee member.

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The meeting adjourned at 10:15 a.m.

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